

Official

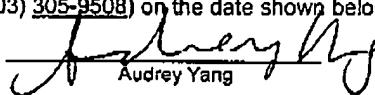
#15
10-21-02IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Robert C. Wohlsen et. al.
SERIAL NO: 09/351,723
FILING DATE: 7/12/99
TITLE: METHOD AND SYSTEM FOR IDENTIFYING A USER BY VOICE
GROUP ART UNIT: 2654
ATTY DOCKET NO: 1094
EXAMINER: Azad, A.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this preliminary amendment is being facsimile transmitted to the United States Patent and Trademark Office (fax number (703) 305-9508) on the date shown below

Date: October 8, 2002


Audrey Yang

THE HONORABLE COMMISSIONER OF PATENTS, WASHINGTON DC, 20231

PETITION UNDER 37 C.F.R. 1.59(B)

SIR:

Regarding the notice of appeal filed 9/30/02:

On September 30, 2002, Applicants' attorney erroneously submitted via U.S. Mail a notice of appeal in this case, that had actually been intended for application serial number 09/425,748. The fact that it was submitted 5 in error is evident by the petition for extension of time that was submitted with the notice of appeal, such extension being improper in this case, but was proper in the intended case. Applicants hereby petition for the return of the papers for the notice of appeal filed 10 September 30, 2002 and the return of the fee associated therewith. Applicants' attorney regrets any confusion this may have caused. Applicants are submitting the fee under 37 C.F.R. 1.17(h).

Applicants' attorney has since filed the notice of 15 appeal in the other case, so no transfer of the papers filed in this case is being requested.

Respectfully submitted,
October 9, 2002

20

By: Charles E. Gotlieb
Charles E. Gotlieb
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(650) 328-0100

25

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FACSIMILE TRANSMITTAL SHEET
October 9, 2002

To: Examiner Azad

Company: USPTO

Fax Number: (703) 305-9508

Subject: Petition

Reference: 09/351,723

Pages: 7 Including Cover

CONFIRMATION COPY SENT BY MAIL

Notes/Comments:

Please rush to Examiner Azad.

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10/08/02 2:48 PM

PTO/SB/21 (6-85) (modified)

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Approved for use through 9/30/98, OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

001/PTO
Rev. 10/95U.S. Department of Commerce
Patent and Trademark Office

Application Number

09/351,723

Filing Date

7/12/99

First Named Inventor

Robert C. Wohlsen

Group Art Unit

2654

Examiner Name

Azad, A.

Total Number of Pages in This Submission

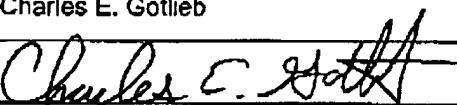
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Attorney Docket Number

1094

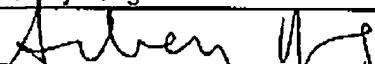
ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group	
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below)	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer		
<input type="checkbox"/> Information Disclosure Statement/PTO-1449	<input checked="" type="checkbox"/> Request for Refund		
<input type="checkbox"/> Certified Copy of Priority Document	<input type="checkbox"/> CD, Number of CD(s) _____		
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Remarks		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Form or Individual name	Charles E. Gotlieb		
Signature			
Date	October 9, 2002		

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Date

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PTO/SBU17 (modified) (02/00)

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FEE TRANSMITTAL for FY 2002

TOTAL AMOUNT OF PAYMENT (\$ 130)

Complete If Known	
Application Number	09/351,723
Filing Date	7/12/99
First Named Inventor	Robert C. Wohlsen
Examiner Name	Azad, A.
Group Art Unit	2654
Attorney Docket Number	1094

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number
07-1738
Deposit Account Name
Charles E. Gotlieb

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17.

Applicant claims small entity status
See 37 CFR 1.27

2. Payment Enclosed

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	140	201	370	Utility filing fee	
106	330	206	185	Design filing fee	
107	610	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	100	214	80	Provisional filing fee	
SUBTOTAL (1) (\$)					

2. EXTRA CLAIMS

	Extra	Fee from below	Fee Paid
Total Claims	21 - 22 =	<input type="text"/> X <input type="text"/> = <input type="text"/>	
Independent Claims	3 - 3 =	<input type="text"/> X <input type="text"/> = <input type="text"/>	

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim	
109	84	209	42	**Reissues independent claims over original patent	
110	18	210	9	**Reissues claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)					

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Description	Fee Paid
105	130	205	65	Surcharge-late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2520	147	2520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting a publication of SIR prior to Examiner action	
113	1840*	113	1840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	480	Extension for reply within third month	
118	1440	218	720	Extension for reply within fourth month	
128	1930	228	980	Extension for reply within fifth month	
119	220	210	120	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	200	221	140	Request for oral hearing	
138	1510	138	1510	Petition to institute a public use proceeding	
146	110	240	55	Petition to revive - unavoidable	
141	1280	241	640	Petition to revive - unintentional	
142	1280	242	640	Utility issue fee (or reissue)	
143	460	241	230	Design issue fee	
144	820	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	130
123	50	123	50	Petitions related to provisional applications	
126	180	126	120	Submission of information Disclosure Stmt	
361	40	561	40	Recording each patent assignment per property (times number of properties)	
148	740	248	370	Filing a submission after final rejection (37 CFR 1.129(b))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
* Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$)	130

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Charles E. Gotlieb	Registration No. (Attorney/Agent)	38,164	Telephone	650-328-0100
Signature			Date	10/9/2002	

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PTO-2038(modified) (02-2000)

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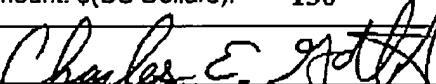
Credit Card Type: Visa MasterCard American Express Discover

Credit Card Account #: [REDACTED]

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Request and Payment Information

Description of Request and Payment Information:

Fee for Petition to Commissioner.

Patent Fee	Patent Maintenance Fee	Trademark Fee	Other Fee
Application No. 09/351,723	Application No. 09/351,723	Serial No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. 1094		Identify or Describe Mark	

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